

United States Courts  
Southern District of Texas  
FILED

DEC 06 2011

David J. Bradley, Clerk of Court

A091 (Rev. 8/01) Criminal Complaint

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS**

UNITED STATES OF AMERICA

V.

**Priscilla Raby LOERWALD**

**CRIMINAL COMPLAINT**

Case Number: C-11-139/m

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about 12/4/2011 in Brooks County, in the  
(Date)

Southern District of Texas defendant, **Priscilla Raby LOERWALD**

did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law,

in violation of Title 8 United States Code, Section(s) 1324  
I further state that I am a(n) CBP/HSI Agent and that this complaint is based on the  
following facts: Official Title

See Attached Affidavit of ICE Special Agent **James A. Burdette**

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Signature of Complainant

**James A. Burdette**

Printed Name of Complainant

Sworn to before me and signed in my presence, and probable cause found

December 6, 2011

Date

**Brian L. Owsley U.S. Magistrate Judge**

Name and Title of Judicial Officer

at

Corpus Christi, Texas

City and State

Signature of Judicial Officer

### AFFIDAVIT

On December 4, 2011, at approximately 1835 hours, Priscilla Raby LOERWALD was arrested at the U.S. Border Patrol Checkpoint near Falfurrias, Texas. This arrest occurred after LOERWALD was discovered to be transporting three undocumented aliens in a grey in color 2010 Ford Focus with Texas license plate (BN2M672).

On December 4, 2011, at approximately 1835 hours, BPA G. Quesada was conducting immigration inspection duties at the U.S. Border Patrol Checkpoint near Falfurrias, Texas, when he encountered LOERWALD in a grey in color 2010 Ford Focus with Texas license plate (BN2M672). BPA Quesada observed no other visible occupant in the vehicle besides LOERWALD. BPA Quesada made contact with LOERWALD and asked her if she was a United States citizen. She stated "yes sir". BPA Quesada asked LOERWALD where she was traveling. LOERWALD stated she was headed to Rosenberg, Texas to meet her daughter. BPA Quesada observed LOERWALD eating chocolate snacks uncontrollably during their conversation. While BPA Quesada questioned LOERWALD, BPA N. Kooiman and service canine "Straik" performed a non-intrusive free air sniff of the vehicle. BPA Kooiman advised BPA Quesada service canine "Straik" was alerting to the presence of more individuals or contraband inside the vehicle. BPA Quesada asked LOERWALD for permission to further search her vehicle in the secondary inspection area. LOERWALD consented and BPA Quesada referred the vehicle to the secondary lane for further inspection.

Once in secondary, LOERWALD was asked multiple times to exit the vehicle. LOERWALD prolonged her exit of the vehicle by continually gathering items from the inside of her vehicle. Agent Kooiman performed a systematic search of the vehicle and then opened the trunk of the vehicle. Three individuals were observed hiding in the trunk of the vehicle. The three subjects were identified as Jeaneth SANCHEZ-Gutierrez, Lizbeth MUNOZ-Sanchez and Christian ALCARAZ-Mosso. Questioning revealed SANCHEZ, MUNOZ and ALCARAZ were illegally present in the United States. LOERWALD and the three illegal aliens were arrested for violation of title 8 USC 1324, Alien Smuggling.

#### STATEMENT OF PRISCILLA RABY LOERWALD:

Once inside the Checkpoint, BPA G. Quesada advised LOERWALD of her Miranda Rights as per form I-214 at approximately 1500 hours. Miranda Rights administration was witnessed by BPA M. Railey. LOERWALD stated she understood her rights and chose to make a voluntary statement without the presence of an attorney.

LOERWALD stated she is presently living with her sister in Edinburg, Texas. LOERWALD rented the vehicle on December 04, 2011. She planned to travel to Houston, Texas to meet her daughter. Before leaving Edinburg, Texas, she fueled the vehicle up at the Flying J in Edinburg, Texas and traveled north on Highway 281 towards Rosenberg, Texas.

LOERWALD stated she did not know that any people were hidden in the trunk of her vehicle. She insisted camera footage from the Flying J would prove the aliens loaded themselves in the car while she was inside the store.

LOERWALD eventually recanted and admitted guilt in smuggling the three illegal aliens found in the trunk of her car. LOERWALD stated she agreed to smuggle the three illegal aliens to Houston, Texas for \$1000.00 per alien.

#### STATEMENT OF CHRISTIAN ALCARAZ-MOSSO:

BPA J. Cavazos advised ALCARAZ of his Miranda Rights as per form I-214 at approximately 2200 hours. Miranda Rights administration was witnessed by BPA G. Quesada. ALCARAZ stated he understood his rights and chose to make a voluntary statement without the presence of an attorney.

ALCARAZ stated he made arrangements in Mexico to be smuggled to Houston, Texas for a fee of \$2,000.00 upon arrival. ALCARAZ crossed the Rio Grande River near Camargo, Tamaulipas on December 3, 2011. ALCARAZ stated he traveled with his wife, Jeaneth SANCHEZ-Gutierrez, and his wife's cousin, Lizbeth MUNOZ-Sanchez. After crossing, he walked approximately 15 minutes in the brush. He was picked up by a truck and driven to an unknown house. ALCARAZ stayed at the house for one day.

ALCARAZ was instructed by an unknown man to get in a truck. ALCARAZ was driven to an unknown store parking lot. The driver parked next to a dark in color sedan. ALCARAZ was instructed by the unidentified driver of the truck to climb into the trunk of the sedan. ALCARAZ stated he is unable to identify the driver of the sedan. ALCARAZ was too busy helping his pregnant wife climb into the trunk of the sedan.

ALCARAZ traveled inside the trunk of the sedan for approximately one hour before the vehicle was stopped and searched by U.S. Border Patrol in Falfurrias, Texas.

STATEMENT OF JEANETH SANCHEZ-GUTIERREZ:

BPA G. Ibarra advised SANCHEZ of her Miranda Rights as per form I-214 at approximately 2155 hours. Miranda Rights administration was witnessed by BPA G. Quesada. SANCHEZ stated she understood her rights and chose to make a voluntary statement without the presence of an attorney.

SANCHEZ stated her uncle made smuggling arrangements for her in Mexico. SANCHEZ crossed the Rio Grande River near Camargo, Tamaulipas on December 3, 2011. SANCHEZ stated she traveled with her husband, Christian ALCARAZ-Musso, and her cousin, Lizbeth MUNOZ-Sanchez. After crossing, she walked to a van. She was picked up by the van and driven to a white wooden house. SANCHEZ stayed at the house for one day.

The next day a man told SANCHEZ to get into a red truck. The unknown man drove SANCHEZ to an unknown store. The unidentified driver parked next to a parked sedan with the trunk open. The unidentified driver informed SANCHEZ the blonde haired woman standing next to the sedan would drive her north.

SANCHEZ stated she traveled inside the trunk of the vehicle for approximately one hour before the vehicle was stopped and searched by U.S. Border Patrol in Falfurrias, Texas.

STATEMENT OF LIZBETH MUNOZ-SANCHEZ:

BPA J. Flores advised MUNOZ of her Miranda Rights as per form I-214 at approximately 2045 hours. Miranda Rights administration was witnessed by BPA G. Quesada. MUNOZ stated she understood her rights and chose to make a voluntary statement without the presence of an attorney.

MUNOZ stated she made arrangements in Mexico to be smuggled into the United States for a fee of \$1,500.00. MUNOZ paid \$300.00 in advance to the unknown smuggler. MUNOZ entered the United States on approximately December 3, 2011. MUNOZ stated she traveled with her pregnant cousin, Jeaneth SANCHEZ-Gutierrez, and her cousin's husband, Christian ALCARAZ-Musso. She stated she crossed the Rio Grande River through Rio Bravo, Tamaulipas. An unknown man drove MUNOZ to an unknown house. MUNOZ stayed one day at this location.

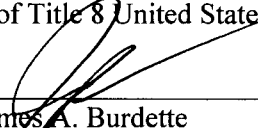
MUNOZ was instructed by an unknown man to get in a truck. MUNOZ was driven to an unknown store parking lot. The driver parked the truck next to a parked dark colored sedan with the trunk open. MUNOZ stated a woman was standing next to the sedan. MUNOZ was told to climb into the trunk.

MUNOZ stated she traveled in the trunk of the vehicle for approximately 30 to 40 minutes before the vehicle was stopped and searched by U.S. Border Patrol in Falfurrias, Texas.

No exculpatory statements were made by either of the material witnesses.

**DISPOSITION:**

Corpus Christi HSI duty agent James Burdette was notified of the facts of the case. These facts were presented to the United States Attorney's Office and AUSA Jeff Miller accepted the case against LOERWALD for federal prosecution for violation of Title 8 United States Code 1324.

  
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James A. Burdette  
CBP/HSI Agent  
U.S. Immigration & Customs Enforcement

SUBSCRIBED and SWORN  
before me this 6<sup>th</sup> day of December, 2011

  
\_\_\_\_\_  
Brian L. Owsley  
United States Magistrate Judge